

REMARKS

I. Introduction

Prior to entry of this Amendment:

- Claims 1 – 7 and 9 – 15 were pending in the present application
- Claims 1 – 7 and 9 – 15 stand rejected

Upon entry of the Amendment, which is respectfully requested for the reasons set forth below:

- Claims 1 – 7 and 9 – 15 will be pending
- Claims 1, 3, 9, 10, 12 and 16 will be amended

Applicant respectfully traverses the rejections for the reasons indicated below.

II. The Claim Objections

A. Claims 1-7 and 9-16 were objected to because of informalities. (See Office Action, pp. 2-4).

Claims 1, 9, 10 and 16 have been amended to address the informalities. All objections are believed to have been addressed. Withdrawal of the objections is respectfully requested.

III. The Section 112, First Paragraph Rejections

A. Claims 2 and 11 were rejected with regard to alleged lack of enablement for an anti-glare portion that covers less than one third of the mirror surface.
(See Office Action, pp. 4-5).

Claim 2 is original and, thus, can provide enabling support and disclosure for an “anti-glare portion that covers less than one third of the mirror surface.” Furthermore, the Specification has been amended and now recites “[i]n alternate embodiments, the portion treated to reduce glare encompasses less than one-third of the mirror surface,” and provides additional enablement.

No new matter has been added with this amendment. In establishing disclosure, Applicant may rely on the original claims. *See M.P.E.P. § 608.01(l) (reproduced below):*

608.01(l)Original Claims

“In establishing a disclosure, applicant may rely not only on the description and drawing as filed but also on the original claims if their content justifies it.

Where subject matter not shown in the drawing or described in the description is claimed in the application as filed, and **such original claim itself constitutes a clear disclosure of this subject matter**, then the claim should be treated on its merits, and requirement made to amend the drawing and description to show this subject matter. **The claim should not be attacked either by objection or rejection because this subject matter is lacking in the drawing and description.** It is the drawing and description that are defective, not the claim.

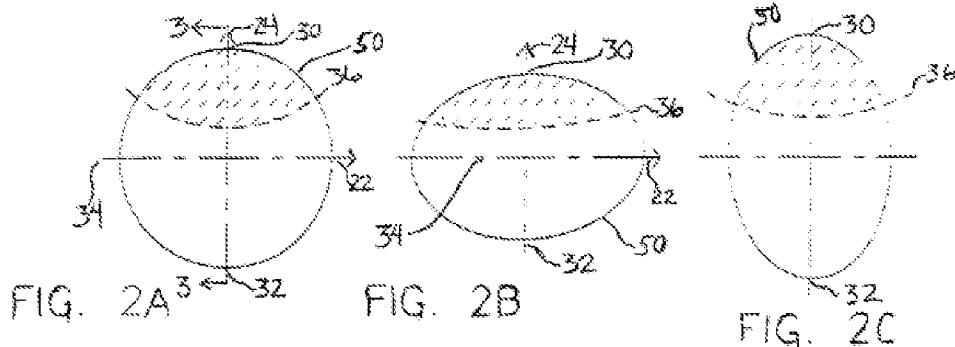
It is, of course, to be understood that this disclosure in the claim must be sufficiently specific and detailed to support the necessary amendment of the drawing and description.”

Response to Office Action dated: November 12, 2009

Claim 2, as originally filed, recited:

"2. The mirror of claim 1, wherein the portion treated to reduce glare encompasses less than one-third of said surface."

Additionally, based on Figs. 2A-2C, one of ordinary skill in the art would understand that covering less than one third of the mirror surface would simply require moving boundary 36 toward the top of the mirror 30 (just as covering more than one third of the mirror would simply require moving boundary 36 away from the top of the mirror 30).



Accordingly, Applicant respectfully submits that the Specification enables and provides a written description of the subject matter recited in claims 2 and 11. Withdrawal of the rejections is respectfully requested.

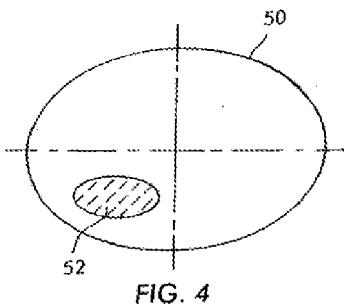
B. Claims 3 and 12 were rejected with regard to alleged lack of enablement for an anti-glare portion in a spaced relation to the peripheral edge of the mirror surface. (See Office Action, pp. 5-6).

Applicant respectfully traverses this rejection. Claim 3 has been re-written in independent form. Claim 12 has been amended to clarify that the portion treated to reduce glare is not in contact with any part of the peripheral edge. Claim 3, as originally filed, recited:

“3. The mirror of claim 1, wherein the portion treated to reduce glare is located in spaced relation and in not in contact with any of the peripheral edges of the mirror surface.”

The Specification has been amended and now recites “the portion treated to reduce glare is located in spaced relation to and not in contact with any portion of the peripheral edges of the mirror surface,” and provides additional enablement and disclosure for “an anti-glare portion in a spaced relation to the peripheral edge of the mirror surface.”

Furthermore, Applicant respectfully submits that based on Fig. 4, one of ordinary skill in the art would understand that the treated portion can be in spaced relation to and not in contact with any of the peripheral edge.



Accordingly, Applicant respectfully submits that the Specification enables and provides a written description of the subject matter recited in claims 3 and 12. Withdrawal of the rejections is respectfully requested.

IV. The Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

A. Claims 10-16 were rejected for insufficient antecedent basis for the “bottom half portion.” (*See Office Action, p. 6*).

Claims 10 and 16 have been amended to provide proper antecedent basis for the “bottom half portion.” Withdrawal of the rejections is respectfully requested.

CONCLUSION

Applicant respectfully submits that, as described above, the cited prior art does not show or suggest the combination of features recited in the claims. Applicant does not concede that the cited prior art shows any of the elements recited in the claims. However, to the extent Applicant has discussed specific elements of the claims, Applicant has merely provided examples of elements in the claims that are clearly not present in the cited prior art.

Any narrowing amendments made to the claims, if any, in the present Amendment are not to be construed as a surrender of any subject matter between the original claims and the present claims; rather merely Applicant's best attempt at providing one or more definitions of what the Applicant believes to be suitable patent protection. In addition, the present claims provide the intended scope of protection that Applicant is seeking for this application. Therefore, no estoppel should be presumed, and Applicant's claims are intended to include a scope of protection under the Doctrine of Equivalents and/or statutory equivalents, i.e., all equivalents that are substantially the same as the presently claimed invention.

For all the reasons advanced above, Applicant respectfully submits that the rejections have been overcome and should be withdrawn.

For all the reasons advanced above, Applicant respectfully submits that the Application is in condition for allowance, and that such action is earnestly solicited.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees, which may be required for this Amendment, or credit any overpayment to Deposit Account No. 08-0219.

In the event that an Extension of Time is required, or which may be required in addition to that requested in a petition for an Extension of Time, the Commissioner is requested to grant a petition for that Extension of Time which is required to make this response timely and is hereby authorized to charge any fee for such an Extension of Time or credit any overpayment for an Extension of Time to Deposit Account No. 08-0219.

Respectfully submitted,
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